

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.27481 of 2022 (O&M)
Date of Decision.22.07.2022

Varun Bhogal ...Petitioner
Vs
State of Haryana ...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Manuj Nagrath, Advocate
for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed under Section 439 read with Section 482 Cr.P.C. for extension of the interim bail allowed to the petitioner vide order dated 31.05.2022 for another one month.

Counsel for the petitioner while praying for extension of interim bail would rely upon a certificate issued by Fortis Hospital wherein it has been stated that the petitioner has undergone treatment as recently as 18.06.2022. He would further rely on the same certificate wherein it has been stated that the petitioner-Varun Bhogal would require regular follow up with gastroenterologist and regular pancreatic stent exchange and therefore, petitioner's interim bail be extended for a period of one month.

Learned counsel appearing for the respondent-State opposes extension of interim bail to the petitioner by contending that the petitioner was to surrender on 20.06.2022 after having been allowed interim bail by order dated 31.05.2022. It is contended that the petitioner herein was found in possession of 720 gms of heroin, which is well beyond commercial quantity and therefore, would not be entitled to any relief as sought for.

I have heard learned counsel for the petitioner as well as the respondent-State and have perused the paper book. The petitioner is suffering from Chronic Calcific Pancreatitis with Uncontrolled Diabetes with Panchreatic Stent in Situ. A perusal of the said report would reveal that the doctor has opined that the petitioner would need treatment long life and he would also require Islet Cell transplantation for his uncontrolled diabetes. After considering the medical certificate as issued and taking note of the fact that the petitioner underwent a surgical procedure on 18.06.2022, this Court deems it appropriate to extend the interim bail of the petitioner for a period of another 10 days. The petitioner had also approached this Court on an earlier occasion asking for interim bail on account of the fact that he needed Islet Cell transplantation for his diabetes and that treatment would be done at Hyderabad, however, the petitioner did not undergo any such treatment. The petitioner has already undergone the treatment on 18.06.2022 and was to surrender on 20.06.2022, therefore, he has already exceeded the interim bail already allowed to him by a period of one month. Keeping in mind that the petitioner still needs to recapitulate, interim bail granted to him vide order dated 31.05.2022 is extended by a period of 10 days from today i.e. upto 02.08.2022 making it clear that in case, he does not surrender on 03.08.2022, his surety/bail bonds shall stand forfeited.

The instant petition stands disposed of in the above terms.

(JAISHREE THAKUR)
JUDGE

July 22, 2022

Pankaj*

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No